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I hereby certify that this correspondence is being transmitted herewith via the USPTO's Electronic Filing System (EFS-Web) on the date indicated below and is addressed to: **MAIL STOP: AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Submission: May 8, 2007


Selena Whitaker Paquet

Attorney Docket No. 13395.1005
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Alicia Jennifer Hafeeza EL HAJ and Jon Paul DOBSON**

Group Art Unit: 1647

Application No. : 10/518,956
Filed : August 10, 2005
For : **METHOD OF MAGNETICALLY MANIPULATING A CELL WITH
MAGNETIZABLE PARTICLES**
Examiner : Ian D. Dang

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP: AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed March 8, 2007, applicants hereby elect the invention of Group II, claims 46-56, 59-64, 68, 69 and 71, **with traverse**.

As noted by the Examiner, under PCT Rule 13.1, an application must relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. The Examiner asserts that claim 1 lacks novelty and/or an inventive step in view of the disclosure of Cartmell et al., *NanoBioscience*, Vol. 1, No. 2, page 92, and therefore has no

special technical feature over the prior art. The Examiner continues to state that the first claimed invention thus cannot share a special technical feature with the other claimed inventions.

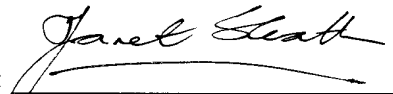
Based on the date indicated at the top right-hand corner of the front page, the Cartmell et al. reference appears to have been published in June 2002. However, at the bottom left-hand corner of the front page, it is stated that the manuscript was received July 28, 2002, and revised September 30, 2002. Dr. David Garnett, the applicants' counsel in the UK, thus contacted the publishers of *NanoBioscience* to determine the correct publication date of the Cartmell et al. reference. As evidenced by the attached Declaration of Dr. Garnett, it was determined that the Vol. 1, No. 2 issue of *NanoBioscience* was in fact published on or about March 8, 2003, which is after the June 19, 2002, priority date of the present application. The Cartmell et al. reference is thus not prior art to the subject application. Applicants have requested a letter from the publishers of *NanoBioscience* evidencing the date of publication of the Cartmell et al. reference and will forward that to the Examiner as soon as possible.

Applicants submit that claim 1 is indeed novel and inventive over the prior art, and that therefore the presently pending claims do share a special technical feature and are linked to form a single general inventive concept. Withdrawal of the requirement for restriction and early consideration of the application on its merits is respectfully requested.

A Request for a One Month Extension of Time, extending the deadline for responding to the Restriction Requirement to May 8, 2007, is submitted herewith.

Should the Examiner have any concerns regarding the subject application, he is respectfully requested to telephone the undersigned at 206.382.1191.

Respectfully submitted,

By: 
Janet Sleath
Registration No. 37,007

Date: May 8, 2007

SPECKMAN LAW GROUP PLLC

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